

By Senators Webster and Fasano

9-1335A-07

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled

An act relating to the Florida Transportation Commission; amending s. 20.23, F.S.; requiring the commission to monitor transportation authorities and conduct periodic reviews of each authority; prohibiting a member of the commission from entering into the day-to-day operation of a monitored authority; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraphs (b) and (c) of subsection (2) of section 20.23, Florida Statutes, are amended to read:

20.23 Department of Transportation.--There is created a Department of Transportation which shall be a decentralized agency.

(2)

(b) The commission shall have the primary functions to:

1. Recommend major transportation policies for the Governor's approval, and assure that approved policies and any revisions thereto are properly executed.

2. Periodically review the status of the state transportation system including highway, transit, rail, seaport, intermodal development, and aviation components of the system and recommend improvements therein to the Governor and the Legislature.

3. Perform an in-depth evaluation of the annual department budget request, the Florida Transportation Plan, and the tentative work program for compliance with all

1 applicable laws and established departmental policies. Except
2 as specifically provided in s. 339.135(4)(c)2., (d), and (f),
3 the commission may not consider individual construction
4 projects, but shall consider methods of accomplishing the
5 goals of the department in the most effective, efficient, and
6 businesslike manner.

7 4. Monitor the financial status of the department on a
8 regular basis to assure that the department is managing
9 revenue and bond proceeds responsibly and in accordance with
10 law and established policy.

11 5. Monitor on at least a quarterly basis, the
12 efficiency, productivity, and management of the department,
13 using performance and production standards developed by the
14 commission pursuant to s. 334.045.

15 6. Perform an in-depth evaluation of the factors
16 causing disruption of project schedules in the adopted work
17 program and recommend to the Legislature and the Governor
18 methods to eliminate or reduce the disruptive effects of these
19 factors.

20 7. Recommend to the Governor and the Legislature
21 improvements to the department's organization in order to
22 streamline and optimize the efficiency of the department. In
23 reviewing the department's organization, the commission shall
24 determine if the current district organizational structure is
25 responsive to Florida's changing economic and demographic
26 development patterns. The initial report by the commission
27 must be delivered to the Governor and Legislature by December
28 15, 2000, and each year thereafter, as appropriate. The
29 commission may retain such experts as are reasonably necessary
30 to effectuate this subparagraph, and the department shall pay
31 the expenses of such experts.

1 8. Monitor the efficiency, productivity, and
2 management of the authorities created under chapters 343 and
3 348. The commission shall also conduct periodic reviews of
4 each authority's operations and budget, acquisition of
5 property, management of revenue and bond proceeds, and
6 compliance with applicable laws and generally accepted
7 accounting principles.

8 (c) The commission or a member thereof may not enter
9 into the day-to-day operation of the department or a monitored
10 authority and is specifically prohibited from taking part in:

- 11 1. The awarding of contracts.
- 12 2. The selection of a consultant or contractor or the
13 prequalification of any individual consultant or contractor.
14 However, the commission may recommend to the secretary
15 standards and policies governing the procedure for selection
16 and prequalification of consultants and contractors.
- 17 3. The selection of a route for a specific project.
- 18 4. The specific location of a transportation facility.
- 19 5. The acquisition of rights-of-way.
- 20 6. The employment, promotion, demotion, suspension,
21 transfer, or discharge of any department personnel.
- 22 7. The granting, denial, suspension, or revocation of
23 any license or permit issued by the department.

24 Section 2. This act shall take effect July 1, 2007.

25
26 *****

27 SENATE SUMMARY

28 Requires the Florida Transportation Commission to monitor
29 transportation authorities and conduct periodic reviews
30 of each. Prohibits a member of the commission from
31 entering into the day-to-day operation of a monitored
authority.